

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 09, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID B.,¹

Plaintiff,

vs.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY,²

Defendant.

No. 2:24-cv-00026-RHW

**ORDER DENYING REPORT AND
RECOMMENDATION AS MOOT**

ECF Nos. 2, 4

The Court, having reviewed Plaintiff's application for leave to proceed *in forma pauperis* ("IFP"), the Report and Recommendation, and the remaining record, and noting the receipt of Plaintiff's filing fee, hereby orders:

1. Plaintiff's IFP application, **ECF No. 2**, is **DENIED** as **MOOT**.

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

² Pursuant to Federal Rule of Civil Procedure 25(d), Martin O'Malley, Commissioner of Social Security, is substituted as the named Defendant.

1 2. The Court does not adopt the Report and Recommendation, **ECF No.**
2 **4**, because Plaintiff has paid the filing fee. It is therefore rejected as moot.

3 The District Court Executive is directed to enter this Order and forward
4 copies to counsel and Judge Goeke.

5 DATED February 9, 2024.

6 s/Robert H. Whaley
7 ROBERT H. WHALEY
8 Senior United States District Judge
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